

Agency: Utica Police		ORI: NY0320200		NEW YORK STATE		Sprint (NYC)		Incident #: 2012000048798	
Department		Address of Occurrence		DOMESTIC INCIDENT REPORT		Precinct (NYC): Aided # (NYC)		Complaint #	
Month	Day	Year	Time (24 Hrs)	906 MARY ST, UTICA NY, 13501		Apt	CTV		
10	19	2012	13:32:00						
10	19	2012	13:32:58	How can we safely contact you? (e.g. Name, Phone)				<input type="radio"/> Officer Initiated <input checked="" type="radio"/> Radio Run <input type="radio"/> Walk-In	
Name (Last, First, M.I.) / (include aliases)				Phone		Month	Day	Year	Age
BABIC ALMA				315-982-1223				1991	21
Street & City				APT# Zip		If non-English, language:			
919 SOUTH ST UTICA, NY				13501		<input type="radio"/> Spanish <input type="radio"/> Chinese <input type="radio"/> Other			
Injured? <input type="radio"/> No <input checked="" type="radio"/> Yes				Removed to Hospital? <input type="radio"/> No <input type="radio"/> Yes # yes		<input type="radio"/> White <input type="radio"/> Black <input type="radio"/> Asian <input type="radio"/> Hispanic <input type="radio"/> Native American <input type="radio"/> Non-Hispanic <input type="radio"/> Other: White <input type="radio"/> Unknown		Notes (e.g. special needs, disability, requests):	
Describe: Apparent Minor Injury				what hospital?					
Name (Last, First, M.I.) / (include aliases)				Phone		Month	Day	Year	Age
ROSIC NIHAD				315-404-9880				1988	24
Street & City				APT# Zip		If non-English, language:			
906 MARY ST UTICA, NY				13501		<input type="radio"/> Spanish <input type="radio"/> Chinese <input type="radio"/> Other			
Injured? <input type="radio"/> No <input checked="" type="radio"/> Yes				Removed to Hospital? <input type="radio"/> No <input type="radio"/> Yes # yes		<input type="radio"/> White <input type="radio"/> Black <input type="radio"/> Asian <input type="radio"/> Hispanic <input type="radio"/> Native American <input type="radio"/> Non-Hispanic <input type="radio"/> Other: <input type="radio"/> Unknown		Prior DV History? <input type="radio"/> Yes <input checked="" type="radio"/> No Prior DV Police Report? <input type="radio"/> Yes <input checked="" type="radio"/> No Victim Fearful? <input type="radio"/> Yes <input checked="" type="radio"/> No Access to Weapons? <input type="radio"/> Yes <input checked="" type="radio"/> No Suspect Drug/Alc History? <input type="radio"/> Yes <input checked="" type="radio"/> No Suspect HX Suicide Threat? <input type="radio"/> Yes <input checked="" type="radio"/> No Suspect Probation/Parole? <input type="radio"/> Yes <input checked="" type="radio"/> No	
Describe: None/No Injury, None/No Injury				what hospital?					
SUSPECT/P2: LIVING SITUATION				RELATIONSHIP: (Suspect / P2 to Victim / P1)					
Present? <input type="radio"/> Yes <input checked="" type="radio"/> No				<input type="radio"/> Married <input type="radio"/> Formally Married <input type="radio"/> IF NO, have they lived together in the past? <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Intimate Partner/Dating <input type="radio"/> Formally Intimate/Dating <input type="radio"/> Child of victim/party 1 <input type="radio"/> Parent of victim/party 1 <input type="radio"/> Relative: <input type="radio"/> Other:					
Do the parties currently live together?				Do the parties have a child-in-common?					
<input type="radio"/> Yes <input checked="" type="radio"/> No				<input type="radio"/> Yes <input checked="" type="radio"/> No					
1. Name (Street / APT# / City, if needed)				Phone		Month	Day	Year	Relationship to victim / P1
Rosic, NIHAD				N/A				2011	Child
2.									
3.									
(Check all that apply) <input type="radio"/> Impaired Alcohol/Drugs <input type="radio"/> Pushing <input type="radio"/> Threw Items <input type="radio"/> Threats (specify) <input type="radio"/> Threat with Weapon <input type="radio"/> Biting <input type="radio"/> Injury to Child <input type="radio"/> Sexual Assault <input type="radio"/> Unwanted Contact <input type="radio"/> Injury/Kill Persons <input type="radio"/> Weapon Used <input type="radio"/> Destroying Property <input type="radio"/> Injury to Other Persons <input type="radio"/> Shooting <input type="radio"/> Verbal Abuse <input type="radio"/> Injury/Kill Self <input type="radio"/> Blunt Object (Estimated \$) 0.00 <input type="radio"/> Injury to Pet/Animal <input type="radio"/> Slapping <input type="radio"/> Violated Visitation/ <input type="radio"/> Injury/Kill Pet/Animal <input type="radio"/> Gun <input type="radio"/> Forced Entry <input type="radio"/> Interference with Phone <input type="radio"/> Slamming Body <input type="radio"/> Custody Conditions <input type="radio"/> Take Child <input type="radio"/> Motor Vehicle <input type="radio"/> Forcible Restraint <input type="radio"/> Intimidation/Coercion <input type="radio"/> Stabbing <input type="radio"/> OTHER Suspect Actions: <input type="radio"/> Destroy/Take Property <input type="radio"/> Sharp Instrument <input type="radio"/> Hair Pulling <input type="radio"/> Kicking <input type="radio"/> Strangulation "Choking" <input type="radio"/> Hit the victim with a belt. <input type="radio"/> Other: <input type="radio"/> Other:									
Arrest Made? <input type="radio"/> Yes <input checked="" type="radio"/> No Reason arrest not made on scene: <input type="radio"/> No Offense Committed <input type="radio"/> No Probable Cause <input checked="" type="radio"/> Suspect Off-Scene <input checked="" type="radio"/> Warrant/Criminal Summons to be requested <input type="radio"/> Violation level: not in police presence (no citizen's arrest) <input type="radio"/> Other:									
Offenses Law (e.g. PL) Section (Sub) Charges Offenses Involved (Check all that apply) <input checked="" type="radio"/> Felony 1. VIOL PROBATION-ORIG CRIME-MISD Other Laws 09350 <input checked="" type="radio"/> Misdemeanor <input type="radio"/> Violation <input type="radio"/> Other: (Specify)									
2. ASLT W/INT CAUSES PHYS INJURY PL 120.00 <input checked="" type="radio"/> Registry Checked? <input type="radio"/> Yes <input checked="" type="radio"/> No OP Court Name: Utica City Court									
3. AGG CONTEMPT-VIOLATE OP-INJURY PL 215.52 <input checked="" type="radio"/> Order of Protection? <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Family <input type="radio"/> Criminal <input type="radio"/> Supreme									
Stay Away Order? <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Out of State <input type="radio"/> Tribal Order Violated? <input type="radio"/> Yes <input checked="" type="radio"/> No Expiration Date Month Day Year Any PRIOR orders? <input type="radio"/> Yes <input checked="" type="radio"/> No 12 14 2012									
STOP! COMPLETE STATEMENT ON PAGE 2 NEXT									
Photos Taken? <input type="radio"/> YES Photos taken of: <input checked="" type="radio"/> Victim Injuries <input type="radio"/> Suspect Injuries Other evidence collected? <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Scene <input type="radio"/> Damaged Property <input type="radio"/> Other: IF YES, describe:									
Result of investigation and basis of action taken. (were excited utterances, spontaneous admissions or spontaneous statements made?) <input type="radio"/> YES <input checked="" type="radio"/> NO (Complete 710.30 or other form)									
On October 19, 2012 I, Officer Dzenan Sabanovic reported to the Utica Police Department for the 0800-1600 hours shift. I was assigned to car/zone 56 along with Officer Pedulla as my partner.									
At approximately 1335 hours I was dispatched to 906 Mary Street regarding a domestic dispute. Upon arrival I spoke with the complainant Alma Babic. Babic stated the following:									
On October 19, 2012 at approximately 1245 hours I, Alma Babic, was inside my apartment located at 919 South Street with my boyfriend Nihad Rosic and our two children. Nihad went to the bathroom and saw my perfumes. He said he was going to throw them out and I told him not to. He said they have alcohol in them and he did not want it in the house. I told Nihad that I will throw them out. He said you're not a man I am the man, it will go as I say. I told him if he throws my perfumes that I will take all of his Muslim clothes and throw them in the trash. He threw my perfumes in the trash and I threw his clothes in the hallway. I was sitting on the bed and arguing. He took a belt that was on the bed and									
Other Agencies Involved with the parties or incident (e.g. advocates, hospital, probation):									
Is there a reason to suspect a child may be a victim of abuse, neglect, maltreatment or endangerment? <input type="radio"/> YES <input checked="" type="radio"/> NO IF YES, officer must contact the NYS CHILD ABUSE HOTLINE REGISTRY # 1-800-635-1522									
CONTACTS INITIATED BY POLICE: <input type="radio"/> Adult Protective Services <input type="radio"/> Child Protective Services or (ACS) <input type="radio"/> Domestic Violence Services <input type="radio"/> Firearms Licensing									
<input type="radio"/> Mental Health <input type="radio"/> Parole <input type="radio"/> Probation <input type="radio"/> Rape Crisis <input type="radio"/> Other Agency: Date: Who was notified?: Notified by:									
Officer's Signature (& Rank) PRINT and SIGN ID: Month Day Year 1. Was DIR given to victim at scene? <input type="radio"/> YES <input checked="" type="radio"/> NO Pedulla, Rob R. Pedulla 6515 2. Was Victim Rights Notice given to victim? <input type="radio"/> YES <input checked="" type="radio"/> NO Supervisor's Signature (& Rank) PRINT and SIGN IF NO, give reason:									

ORI NY0320200	Sprint # (NYC)	Incident # 2012000048798	Precinct (NYC) CIV WAR	Alleg # (NYC)	Complaint # 2012000004660
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Page 2 of the NYS Domestic Incident Report:
STATEMENT OF ALLEGATIONS / SUPPORTING DEPOSITION

Suspect Name (Last, First, M.I.)

ROSIC NIHAD

I, BABIC ALMA (victim/deponent name), state that on 10 / 19 / 2012 (date) at 13:32
 Yo, BABIC ALMA (nombre de victima/deponente), declaro que en tal fecha 10 / 19 / 2012 en 13:32

(location of incident), in the County/City/Town/Village of UTICA, of the state of New York, the following did occur:
 (donde el incidente ocurrio), el condado/ciudad/aldea/pueblo de UTICA, del estado de Nueva York, lo siguiente ocurrio:

On October 19, 2012 at approximately 1245 hours I was inside my apartment located at 919 South Street with my boyfriend Nihad Rosic and our two children. Nihad went to the bathroom and saw my perfumes. He said he was going to throw them out and I told him not to. He said they have alcohol in them and he did not want it in the house. I told Nihad that I will throw them out. He said you're not a man I am the man, it will go as I say. I told him if he throws my perfumes that I will take all of his Muslim clothes and throw them in the trash. He threw my perfumes in the trash and I threw his clothes in the hallway. I was sitting on the bed and arguing. He took a belt that was on the bed and started hitting me. He hit me four or five times with the belt. I was in a lot of pain because it was a big belt. I have several bruises on my legs. After he stopped hitting me he said that I am not allowed to leave the house. He went to the store to get something, so I called his mother and went to her house. He always tells me that I am not allowed to go anywhere and when I do he gets upset. I guess his point of beating me up today and in the past is because he believes that I do not listen to him. He always wants things his way. I want to press charges against Nihad for hitting me with the belt.

(Use additional pages as needed)

False Statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law.
 Declaraciones falsas hechas aqui son castigables como una clase de delito menor, de acuerdo con la seccion 210.45 de la ley penal.

Victim/Deponent Signature
 Firma de victima/deponente

Date
 Fecha

Interpreter

Date

Witness or Officer

Date

Note:
 Whether or not this form is signed, this DIR form will be filed with law enforcement.

Nota:
 Si esta forma esta firmada, o no, esta DIR forma sera regist-trada con la policia.

Page
 2
 of
 3

IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, THE POLICE AND COURTS CAN HELP.**What the Police Can Do:**

- * Assist you with finding a safe place, a place away from the violence.
- * Inform you about how the courts can help protect you from the violence.
- * Help you and your children get medical care for any injuries you received.
- * Assist you in getting necessary belongings from your home.
- * Provide you with copies of police reports about the violence.
- * File a complaint in criminal court, and tell you where your local criminal and family courts are located.

What the Courts Can Do:

- * If the person who harmed or threatened you is a relative by blood or marriage, or is someone you've had a child with, then you also have the right to take your case in family court, criminal court, or both.
- * If you and the abuser are not related, were never married or don't have a child in common, then your case can be heard only in the criminal court.
- * The forms you need are available from the family court and the criminal court.
- * The courts can decide to provide a temporary order of protection for you, your children and any witnesses who may request one.
- * The family court may appoint a lawyer to help you if the court finds that you cannot afford one.
- * The family court may order temporary child support and temporary custody of your children.

New York Law States: "If you are the victim of domestic violence, you may request that the officer assist in providing for your safety as that of your children, including providing information on how to obtain a temporary order of protection. You may also request that the officer assist you in obtaining your essential personal effects and locating and taking you, or assist in making arrangements to take you, and your children to a safe place within such officer's jurisdiction, including but not limited to a domestic violence program, a family member's or friend's residence, or a similar place of safety. When the officer's jurisdiction is more than a single county, you may ask the officer to take you or make arrangements to take you and your children to a place of safety in the county where the incident occurred. If you or your children are in need of medical treatment, you have the right to request that the officer assist you in obtaining such medical treatment. You may request a copy of any incident reports at no cost from the law enforcement agency. You have the right to seek legal counsel of your own choosing and if you proceed in family court and if it is determined that you cannot afford an attorney, one must be appointed to represent you with out cost to you." "You may ask the district attorney or a law enforcement officer to file a criminal complaint. You also have the right to file a petition in the family court when a family offense has been committed against you. You have the right to have your petition and request for an order of protection filed on the same day you appear in court, and such request must be heard that same day or the next day court is in session. Either court may issue an order of protection from conduct constituting a family offense which could include, among other provision an order for the respondent or defendant to stay away from you and your children. The family court may also order the payment of temporary child support and award temporary custody of your children. If the family court is not in session, you may seek immediate assistance from the criminal court in obtaining an order of protection. The forms you need to obtain an order of protection are available from the family court and the local criminal court. The resources available in this community for information relating to domestic violence, treatment of injuries and places of safety and shelters can be accessed by calling the following 800 numbers. Filing a criminal complaint or a family court petition containing allegations that are knowingly false is a crime." (NY's Criminal Procedure Law, Section 80.11 (6))

GET HELP NOW - GET SAFE - CALL:

1-800-942-6906 (English) (24 hrs.) or 1-800-942-6908 (Spanish) (24 hrs.)

TTY for the Hearing Impaired: 1-800-818-0656 (English) or 1-800-780-7660 (Spanish and includes a language bank in 140 different languages)

In New York City, call the all languages, 24 hour Domestic Violence Hotline 1-800-621-4673 (TTY 1-800-818-7444) or 311 or call your local Domestic Violence Program

Victim Information and Notification Everyday (VINE)

Victims may receive information relating to the status and release dates of persons incarcerated in state prison or local jails in New York State. For more information on this program and how you can register, call

1-888-VINE-4NY (1-888-846-3469) from a touch-tone phone (automated system)

YWCA Domestic Violence / Rape Crisis 24 Hr. Hotline 315-797-7740

Utica Police Domestic Violence Unit 315-223-3508, 315-223-3542

Print Date: June 26, 2014

Incident Narrative Report

Printed By: dsabanovic

Narratives for Incident Number 2012000048798 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: PO Dzenan Sabanovic

Seq No:	Date & Time	Narrative Description	Entered by	Status	Reviewed by	Last Edit Date
6	10/19/2012 16:03		PO Dzenan Sabanovic	Closed	Lieutenant Louis Capri	10/20/12 9:34

On October 19, 2012 I, Officer Dzenan Sabanovic reported to the Utica Police Department for the 0800-1600 hours shift. I was assigned to car/zone 56 along with Officer Pedulla as my partner.

At approximately 1335 hours I was dispatched to 906 Mary Street regarding a domestic dispute. Upon arrival I spoke with the complainant Alma Babic. Babic stated the following;

On October 19, 2012 at approximately 1245 hours I, Alma Babic, was inside my apartment located at 919 South Street with my boyfriend Nihad Rosic and our two children. Nihad went to the bathroom and saw my perfumes. He said he was going to throw them out and I told him not to. He said they have alcohol in them and he did not want it in the house. I told Nihad that I will throw them out. He said you're not a man I am the man, it will go as I say. I told him if he throws my perfumes that I will take all of his Muslim clothes and throw them in the trash. He threw my perfumes in the trash and I threw his clothes in the hallway. I was sitting on the bed and arguing. He took a belt that was on the bed and started hitting me. He hit me four or five times with the belt. I was in a lot of pain because it was a big belt. I have several bruises on my legs. After he stopped hitting me he said that I am not allowed to leave the house. He went to the store to get something, so I called his mother and went to her house. He always tells me that I am not allowed to go anywhere and when I do he gets upset. I guess his point of beating me up today and in the past is because he believes that I do not listen to him. He always wants things his way. I want to press charges against Nihad for hitting me with the belt.

Unit 55 Officer Carville responded to the scene and secured photographs of Babic's injuries. Unit 40 Sgt. D'Ambro was also on scene. I completed a DIR and provided Babic with a copy. She signed a supporting deposition along with an Assault 3rd charge against Nihad Rosic. I followed Babic to 919 South Street to stand by while she gathers some of her personal belongings. While in the bedroom with Babic she pointed to a black leather belt and advised me that was the belt Rosic used to beat her. I collected the belt as evidence, which was placed in RMS. After Babic collected her belongings I cleared the scene and responded to hq. While en route I contacted Rosic and asked him to come to hq and surrender. Rosic agreed and came to hq on his own. He was brought to booking and turned over to Officer Jennings.

I completed all necessary paperwork. Felony domestic order of protection packet was completed and forwarded to the Oneida County District Attorney's Office. Rosic was subsequently charged with Assault 3rd and Aggravated Criminal Contempt 1st.

Case closed by arrest.

A Domestic A

DRN# 2012000048798

UTICA CITY COURT

CITY OF UTICA
STATE OF NEW YORK
INFORMATION/COMPLAINANT

UPD - 37

The People of the State of New York VS.	
Name: NIHAD ROSIC	Race/Sex: W / M
Address: 919 SOUTH ST UTICA, NY 13501	DOB: 4/3/1988 Defendant(s)



ORIGINAL

Defendant:

Boyfre

Alleged Victim:

G. Ifane

(A) I, ALMA BABIC, the complainant herein. ACCUSE the Defendant(s) NIHAD ROSIC of the offense of ASLT W/INT CAUSES PHYS INJURY

in violation of Section 120.00 Subdivision 01 of the Penal Law of the State of New York, a class A Misdemeanor

(B) The following are the FACTS upon which said accusation is based:

That on or about the 19th day of October, 2012 at about 12:45 O'clock in the After noon, in the City of Utica, County of Oneida, State of New York, the said defendant(s) did [Intentionally,][Knowingly,][Recklessly,][With Criminal Negligence] and unlawfully, commit the offense of ASLT W/INT CAUSES PHYS INJURY

A person is guilty of assault in the third degree when:

1. With intent to cause physical injury to another person, he causes such injury to such person or a third person: or
Assault in the third degree is a class A misdemeanor.

To Wit:

On October 19, 2012 at approximately 1245 hours while at 919 South Street, City of Utica, County of Oneida, State of New York, the above mentioned defendant committed the offense of Assault in the third degree when he intentionally caused physical injury to another person by hitting her with the belt during a domestic dispute and leaving several bruises over her body.

This accusatory instrument is based upon [the personal knowledge of this complainant and/or information and belief, the sources of my information and grounds of my belief being] [my investigation into this matter as a police officer] [the supported deposition(s) of

Attached hereto and made a part herof.]

[WHEREFORE, Complainant respectfully requests that a summons or warrant of arrest be issued against the defendant(s).]

[WHEREAS, an appearance Ticket # was issued to the said Defendant(s), directing same

To appear before this Court at on the day of

I HAVE READ THE FOREGOING AND UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE STATE OF NEW YORK.

Testified and subscribed before me this the

19 day of Oct 2012

(Officer's Signature)

(Officer's Title Name and Shield #)

Alma Babic
(Complainant's Signature)

ALMA BABIC

FILED
STATE OF NEW YORK

DRN# 2012000048798

UTICA CITY COURT

Dom Fam

97551014

CITY
STATE (INFORMATION)

SERIAL N

The People of the State of New York VS.	
Name: NIHAD ROSIC	Race/Sex: W / M
Address: 919 SOUTH ST UTICA, NY 13501	DOB: 4/3/1988 Defendant(s)

ORIGINAL
Defendant:

Child in Common

Alleged Victim:

Child in Common

(A) I, PO Dzenan Sabanovic, the complainant herein, ACCUSE the Defendant(s) NIHAD ROSIC
of the offense of AGG CONTEMPT-VIOLATE OP-INJURY

in violation of Section 215.52 Subdivision 01 of the Penal Law
of the State of New York, a class D Felony

(B) The following are the FACTS upon which said accusation is based:

That on or about the 19th day of October, 2012 at about 12:45 O'clock in the After noon, in the City of Utica, County of Oneida, State of New York, the said defendant(s) did [Intentionally,][Knowingly,][Recklessly,][With Criminal Negligence] and unlawfully, commit the offense of AGG CONTEMPT-VIOLATE OP-INJURY

A person is guilty of aggravated criminal contempt when:

1. in violation of a duly served order of protection, or such order of which the defendant has actual knowledge because he or she was present in court when such order was issued, or an order of protection issued by a court of competent jurisdiction in another state, territorial or tribal jurisdiction, he or she intentionally or recklessly causes physical injury or serious physical injury to a person for whose protection such order was issued; or

Aggravated criminal contempt is a class D felony.

To Wit:

On the above date and time while 919 South St., City of Utica, County of Oneida, the above defendant did intentionally and knowingly violated a valid Utica City Court order of protection issued by Judge Gerald J. Popeo, dated 12/14/11, order # 2011-900381, being served upon the defendant in court.

The defendant violated the order by repeatedly striking the protected person, Alma Babic, body with a belt causing her substantial pain and bruising to her legs during a domestic violence dispute.

This accusatory instrument is based upon [the personal knowledge of this complainant and/or information and belief, the sources of my information and grounds of my belief being] [my investigation into this matter as a police officer] [the supported deposition(s) of

Alma Babic

Attached hereto and made a part herof.]

[WHEREFORE, Complainant respectfully requests that a summons or warrant of arrest be issued against the defendant(s).]

[WHEREAS, an appearance Ticket # was issued to the said Defendant(s), directing same

To appear before this Court at , on the day of ,

* I HAVE READ THE FOREGOING AND UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE STATE OF NEW YORK.

Verified and subscribed before me this the

19

day of Oct

2012

BZC

(Officer's Signature)

SHANE E. TISO

(Officer's Title, Name and Shield #)

FILED
STATE OF NEW YORK

OCT 20 2012

CITY COURT OF UTICA

(Complainant's Signature)

PO Dzenan Sabanovic

Page 2 of the NYS Domestic Incident Report:
STATEMENT OF ALLEGATIONS / SUPPORTING DEPOSITION

Suspect Name (Last, First, M.I.)

ROSIC NIHAD

I, BABIC ALMA (victim/deponent name), state that on 10 / 19 / 2012, (date) at 13:32
Yo, BABIC ALMA (nombre de víctima/deponente), declaro que en tal fecha 10 / 19 / 2012 en 13:32

(location of incident), in the County/City/Town/Village of UTICA, of the state of New York, the following did occur:
(donde el incidente ocurrió), el condado/ciudad/aldea/pueblo de UTICA, del estado de Nueva York, lo siguiente ocurrió:

On October 19, 2012 at approximately 1245 hours I was inside my apartment located at 919 South Street with my boyfriend Nihad Rosic and our two children. Nihad went to the bathroom and saw my perfumes. He said he was going to throw them out and I told him not to. He said they have alcohol in them and he did not want it in the house. I told Nihad that I will throw them out. He said you're not a man I am the man, it will go as I say. I told him if he throws my perfumes that I will take all of his Muslim clothes and throw them in the trash. He threw my perfumes in the trash and I threw his clothes in the hallway. I was sitting on the bed and arguing. He took a belt that was on the bed and started hitting me. He hit me four or five times with the belt. I was in a lot of pain because it was a big belt. I have several bruises on my legs. After he stopped hitting me he said that I am not allowed to leave the house. He went to the store to get something, so I called his mother and went to her house. He always tells me that I am not allowed to go anywhere and when I do he gets upset. I guess his point of beating me up today and in the past is because he believes that I do not listen to him. He always wants things his way. I want to press charges against Nihad for hitting me with the belt.

(Use additional pages as needed)

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Declaraciones falsas hechas aquí son castigables como una clase de delito menor, de acuerdo con la sección 210.45 de la ley penal.

Alma Balic
Victim/Deponent Signature
Firma de víctima/deponente

10/19/12
Date
Fecha

Note:
Whether or not this form is signed, this DIR form will be filed with law enforcement.

Nota:
Si esta forma esta firmada, o no, esta DIR forma sera regist-trada con la policia.

Interpreter

Date

Witness or Officer

10/19/12
Date

Page
2
of
3

ORI No: NY032031J

Order No: 2011-900381

NYSID No:

CJTN No:

PRESENT: Honorable Gerald J. Popeo

PEOPLE OF THE STATE OF NEW YORK

- against

Nihad Rosic, Defendant

DOB: 04/03/1988

At a term of the Utica City Court, County of Oneida, at the Courthouse at 411 Oriskany Street West, Utica, NY 13502, State of New York

COPY

Criminal Form 1 8/2010

DEFENDANT ☒ SUPD

ORDER OF PROTECTION
Family Offenses - C.P.L. 530.12

1300SD

☐ Youthful Offender (check if applicable)

Part: DV

Case No.: 2011-4293

Charges: PL 260.10 01 AM Act In Manner Inj Child < 17;
PL 240.26 01 V Harassment-Ind: Physical Contact;

Defendant Present In Court

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CONTEMPT OF COURT. IF THIS IS A TEMPORARY ORDER OF PROTECTION AND YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND CONTINUE IN EFFECT UNTIL A NEW DATE SET BY THE COURT.

☒ TEMPORARY ORDER OF PROTECTION - Whereas good cause has been shown for the issuance of a temporary order of protection [as a condition of: adjournment in contemplation of dismissal]

☐ ORDER OF PROTECTION - Whereas defendant has been convicted of [specify crime or violation]:

And the Court having made a determination in accordance with section 530.12 of the Criminal Procedure Law, IT IS HEREBY ORDERED that the above-named defendant Nihad Rosic (DOB: 04/03/1988) observe the following conditions of behavior:

- [02] Refrain from assault, stalking, harassment, aggravated harassment, menacing, reckless endangerment, strangulation, criminal obstruction of breathing or circulation, disorderly conduct, criminal mischief, sexual abuse, sexual misconduct, forcible touching, intimidation, threats or any criminal offense against Alma Babic (DOB: 01/31/1991) and Arlena Rosic (DOB: 03/01/2011);

IT IS FURTHER ORDERED that this order of protection shall remain in force until and including 12/14/2012, but if you fail to appear in court on this date, the order may be extended and continue in effect until a new date set by the Court.
DATED: 12/14/2011

☒ Defendant advised in Court of issuance and contents of Order.

☐ Order to be served by other means [specify]:

☐ Warrant issued for Defendant

☒ Order personally served on Defendant in Court

Honorable Gerald J. Popeo

(Defendant's signature)

☐ ADDITIONAL SERVICE INFORMATION [specify]:

The Criminal Procedure Law provides that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her special duties shall authorize and in some situations may require, such officer to arrest a defendant who is alleged to have violated its terms and to bring him or her before the Court to face penalties authorized by law.

Federal law requires that this order be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if the person against whom the order is sought is an intimate partner of the protected party and has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 USC §§2265, 2266).

It is a federal crime to:

- cross state lines to violate this order or to stalk, harass or commit domestic violence against an intimate partner or family member;
- buy, possess or transfer a handgun, rifle, shotgun or other firearm or ammunition while this Order remains in effect (Note: there is a limited exception for military or law enforcement officers but only while they are on duty); and
- buy, possess or transfer a handgun, rifle, shotgun or other firearm or ammunition after a conviction of a domestic violence-related crime involving the use or attempted use of physical force or a deadly weapon against an intimate partner or family member, even after this Order has expired. (18 U.S.C. 922(g)(8), §§922(g)(9), 2261, 2261A, 2262).

CITY COURT OF UTICA, CITY OF UTICA, COUNTY OF ONEIDA, STATE OF NEW YORK

CERTIFICATE OF DISPOSITION

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

NIHAD ROSIC

DOB: 04-03-1988
DOCKET: 2012-4487

The above named NIHAD ROSIC having been brought before the City Judge of Utica, charged with having, on October 19, 2012, violated

Charge(s) and disposition:

Charge 1: PL-215.50 -AM- 2-CRIMINAL CONTEMPT 2ND
(AMENDED FROM PL-215.52-01 -DF- AGG CONTEMPT-VIOLATE OP-INJUR)
Disposition: 02-28-2013 DISM
Sentence:

Charge 2: PL-120.00-01 -AM- 3-ASLT W/INT CAUSES PHYS INJU
Disposition: 12-21-2012 PG
Sentence: 02-28-2013 C,P,OP 60D,3Y,1Y 3Y

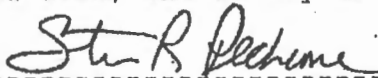
Charge 3:
Disposition:
Sentence:

Charge 4:
Disposition:
Sentence:

Charge 5:
Disposition:
Sentence:

If sentence of fine: Fine Paid- (Y=Yes N=No)
If surcharge imposed: Amount=\$175.00 + \$25.00, Surcharge status= CJ

Dated at the City of Utica New York, the 30 day of June 2014



CLERK OF THE CITY COURT

Dispositions Codes:

PG= Pled guilty DIJ= Dismissed in the interest of justice
DISM= Dismissed GJ or IND= Divested to County Court
ACD55/ACD56= Adjourned in contemplation of dismissal
ACQ= Acquitted after trial TFG= Found guilty after trial
D730= Dismissed pursuant to CPL-730
IDV= Transferred to Intergrated Domestic Violence Court
EXTR= Return of fugitive to jurisdiction outside of the state of NY
D400= Plea withdrawn or vacated after pre-sentence conditions met

Sentence Codes:

F= Fine C= Committed CS= Community service
CD= Conditional discharge R= Restitution P= Probation
C-H= Domicile restriction UD= Unconditional discharge

Sentence Length Codes:

H= Hours D= Days W= Weeks M= Months Y= Years TS= Time served

Surcharge Codes:

ADJ= Pending payment CJ= Civil judgment ordered-not paid
PAID= Paid OATC= From jail funds
CITY COURT OF UTICA, CITY OF UTICA, COUNTY OF ONEIDA, STATE OF NEW YORK

CERTIFICATE OF DISPOSITION

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

CITY COURT OF UTICA, CITY OF UTICA, COUNTY OF ONEIDA, STATE OF NEW YORK

CERTIFICATE OF DISPOSITION

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

NIHAD ROSIC

DOB: 04-03-1988
DOCKET: 2012-4487-V

The above named NIHAD ROSIC having been brought before the City Judge of Utica, charged with having, on October 19, 2012, violated

Charge(s) and disposition:

Charge 1: PL-215.50 -AM- 2-CRIMINAL CONTEMPT 2ND
(AMENDED FROM PL-215.52-01 -DF- AGG CONTEMPT-VIOLATE OP-INJUR)
Disposition: 02-28-2013 DISM
Sentence:

Charge 2: PL-120.00-01 -AM- 3-ASLT W/INT CAUSES PHYS INJU
Disposition: 08-13-2013 VOP
Sentence: 08-13-2013 C,OP 1Y,1Y

Charge 3:
Disposition:
Sentence:

Charge 4:
Disposition:
Sentence:

Charge 5:
Disposition:
Sentence:

If sentence of fine: Fine Paid- (Y=Yes N=No)
If surcharge imposed: Amount=\$175.00 + \$25.00, Surcharge status= CJ

Dated at the City of Utica New York, the 26 day of June 2014



CLERK OF THE CITY COURT

Dispositions Codes:

PG= Pled guilty DIJ= Dismissed in the interest of justice
DISM= Dismissed GJ or IND= Divested to County Court
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UTICA CITY COURT
COUNTY OF ONEIDA

Indictment / Docket No.-2012-4487

PEOPLE OF THE STATE OF NEW YORK DECLARATION OF DELINQUENCY
Sec. 410.30 C.P.L.

VS.
NIHAD ROSIC

DEFENDANT

On 2/28/13, the Defendant was sentenced to a period of Probation.

The Court has reasonable cause to believe that the Defendant violated a Condition of the Sentence, as alleged in the Petition for Violation of Probation, Indictment / Docket No. 2012-4487. The allegations are as follows:

1. Probationer failed to report on 7/15/13.
2. Probationer changed his residence to NYC, N.Y., without prior approval of Probation or the Court.

Wherefore, it is hereby:

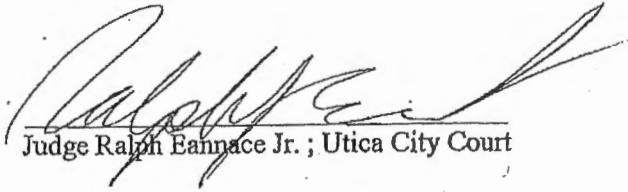
ORDERED that the Defendant is DECLARED DELINQUENT, and it is further ORDERED that, to enable the Court to make a final determination with respect to the Defendant's alleged Delinquency:

(X) A warrant be issued, directing a Peace Officer or Police Officer to take the Defendant into custody and bring him or her before the Court.

ENTER

Dated: August 1, 2013.

At Utica, New York


Judge Ralph Eannace Jr. ; Utica City Court

FILED
STATE OF NEW YORK

AUG 01 2013

CITY COURT OF UTICA

In the Matter of the People
State of New York
VS.
Nihad Rosic

ONEIDA COUNTY PROBATION
VIOLATION OF PROBATION
2012-4487

TO THE CITY COURT OF UTICA, NEW YORK: ONEIDA COUNTY

The Petition of, John Rukavena, respectfully requests to the Court, that your Petitioner is a duly appointed Probation Officer of the Court, located at Utica, New York, the County of Oneida.

That on or about the 24th day of December, 2012, the Probationer was convicted of Assault 3rd, and was sentenced on the 28th day of February, 2013 to 3 yrs. Probation, to expire on February 28th, 2016. A copy of the Conditions of Probation were given to the subject, in writing, and they were, also, explained.

Upon information and belief, said, Nihad Rosic, has violated one or more of the Conditions of Probation under Indictment/Docket # 2012-4487, as the following information alleges:

1. Probationer failed to report to Probation on 7/15/13.
2. Probationer moved to New York City, N.Y./change of residence, without the approval of Probation or the Court.(Probationer, on 7/1/13, requested a transfer of Probation Supervision, indicating that he planned on moving to NYC on August 9th, 2013. Subsequent information obtained by this Officer indicates that Rosic had already moved to New York City in early July, 2013.)

SOURCES OF INFORMATION AND GROUNDS FOR BELIEF

Personal Knowledge; Mr. James Buswell

STATE OF NEW YORK, COUNTY OF ONEIDA

John Rukavena, being duly sworn says: I am the Petitioner in the foregoing Petition; that said Petition is true to my knowledge, except as to matters therein stated to be alleged upon information and belief, and, as to these matters, believe them to be true. Whereas, the Petitioner prays that the said, Nihad Rosic, be dealt with according to the law.

KATHERINE A. SCALISE
Commissioner of Deeds
In & For The City of Utica
My Commission Expires Dec. 31, 2014

Katherine A. Scalise
NOTARY PUBLIC/COMMISSIONER OF DEEDS

John Rukavena
Petitioner
Dated at Utica, N.Y.
this 29th day of July,
2013.

Subscribed and sworn to before me this 29th day of July, 2013

FILED
STATE OF NEW YORK
AUG 01 2013
CITY COURT OF UTICA

Prob Copy

☐ COURT NOTIFICATION
☐ MISCONDUCT REPORT
☒ VIOLATION OF PROBATION REPORT

UNIFORM COURT REPORT

DATE July 29, 2013
PROBATION CASE # 69397

JUDGE Ralph Eannance Jr.	PROBATIONER (LAST) Rosic	(FIRST) Nihad	(M.I.)
COURT Utica City	FROM P.O. Rukavena		
COUNTY Oneida	Oneida County Probation Department		

PROBATIONER WAS:

CONVICTED OF/ADJUDICATED AS Assault 3rd AND
SENTENCED TO/PLACED ON PROBATION ON February 28, 2013 FOR 3 YEARS
BY THE HONORABLE Ralph Eannance Jr., Utica City COURT

SPECIAL CONDITIONS OF PROBATION

Court File

THE PROBATION DEPARTMENT ALLEGES THAT THERE IS REASONABLE CAUSE TO BELIEVE THAT THE ABOVE PROBATIONER VIOLATED A CONDITION OF PROBATION AS FOLLOWS:

- | | |
|---|--|
| <input type="checkbox"/> CHARGED WITH NEW CRIME | <input type="checkbox"/> ABSCONDED FROM SUPERVISION |
| <input type="checkbox"/> CONVICTED OF NEW CRIME | <input checked="" type="checkbox"/> VIOLATED OTHER CONDITIONS OF PROBATION |

DETAILS OF ALLEGED VIOLATIONS

Refer to Petition

☐ CONTINUED ON ATTACHED PAGE

ACTION TAKEN BY PROBATION DEPARTMENT

Submit Petition

☐ CONTINUED ON ATTACHED PAGE

SUMMARY OF SUPERVISION On 2/28/13, Rosic was sentenced to Probation, and placed under the Supervision of Officer Frattaasio. However, per Officer Frattaasio, Rosic didn't cooperate with respect to answering questions and appeared resistant. He was, subsequently, transferred to this Officer's caseload, and his 1 st reporting day was July 1 st , 2013. At this time, Rosic indicated that he had plans on moving to NYC on 8/9/13. However, subsequent information obtained by this Officer indicates that Rosic had already moved to NYC in the early part of July. Rosic failed to report on 7/15/13, and there has been no further communication with this individual.	
<input type="checkbox"/> CONTINUED ON ATTACHED PAGE	
PROBATION DEPARTMENT RECOMMENDATION TO COURT	DIRECTION BY COURT
1. <input type="checkbox"/> AWAIT ADJUDICATION ON NEW CHARGES BEFORE TAKING FURTHER ACTION	<input type="checkbox"/> SO ORDERED
2. SEND PROBATIONER "NOTICE TO APPEAR" IN COURT FOR: <input type="checkbox"/> ARRAIGNMENT AS PROBATION VIOLATOR <input type="checkbox"/> HEARING REGARDING PROBATION STATUS <input type="checkbox"/> RECOMMENDED COURT DATE: _____	<input type="checkbox"/> SO ORDERED <input type="checkbox"/> OTHER DATE DIRECTED BY COURT: _____
3. <input checked="" type="checkbox"/> ISSUE WARRANT FOR PROBATIONER	<input checked="" type="checkbox"/> SO ORDERED
4. DECLARATION OF DELINQUENCY (TO STOP PROBATION TIME): <input checked="" type="checkbox"/> RECOMMENDED	<input checked="" type="checkbox"/> ISSUED <input type="checkbox"/> DO NOT ISSUE
5. <input type="checkbox"/> NO FURTHER COURT ACTION. MATTER CAN BE ADMINISTRATIVELY ADJUSTED	<input type="checkbox"/> SO ORDERED
6. <input type="checkbox"/> OTHER RECOMMENDATION:	<input type="checkbox"/> SO ORDERED OTHER COURT DIRECTION:
PROBATION OFFICER John Rukavena <i>[Signature]</i>	DATE 7-29-13
SUPERVISING PROBATION OFFICER Patrick Cady <i>[Signature]</i>	DATE 7/29/2013
JUDGE Ralph Eennance Jr. <i>[Signature]</i>	DATE 8/1/13

FILED
 STATE OF NEW YORK
 AUG 01 2013
 CITY COURT OF UTICA

CLOSING-NIHAD ROSIC-2012-4487 (Probation Case # 69397)

Petition for Violation of Probation filed by this Officer on 7/29/13. On 8/13/13, Probationer appeared before Judge Ralph Eannace for the VOP hearing. At that time, Rosic admitted to the VOP, and was re-sentenced to 1 year at Oneida County Correctional Facility. Discharged from Probation, effective 8/13/13.